

IN THE FAMILY COURT OF ST. LOUIS COUNTY, MISSOURI

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|----------------|--------------------------------|
| DIVISION 40 | COURT ORI NUMBER MO.ORI095015J |
| | CASE NUMBER 07FC-6635 |



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| PETITIONER John M Hessel | PETITIONER'S HOME ADDRESS: (UNLESS DISCLOSURE WAIVED) 1923 Sunny Kirkwood, MO 63122 |
| D.O.B., AGE OR SOC. SEC.#: 5-13-52 w/m | |

(DATE FILE STAMP)

| | |
|--|---|
| RESPONDENT Charles Thornton | RESPONDENT'S HOME AND WORK ADDRESS: 351 Attucks Kirkwood, MO 63122 |
| D.O.B., AGE OR SOC. SEC.#: 12-23-55 | |
| SEX <input type="checkbox"/> F <input checked="" type="checkbox"/> M RACE: blk | RESPONDENT'S RELATIONSHIP TO PETITIONER: |
| EYE COLOR: | <input type="checkbox"/> (EX)SPOUSE <input type="checkbox"/> (ARE) (WERE)RELATED BY BLOOD/MARRIAGE |
| HAIR COLOR: bald/drk | <input type="checkbox"/> CHILD IN COMMON <input type="checkbox"/> RESIDE(D) TOGETHER |
| HEIGHT 6' | <input checked="" type="checkbox"/> STALKING <input type="checkbox"/> ROMANTIC/INTIMATE SOCIAL RELATIONSHIP |
| WEIGHT: 210 | |
| APPEARANCES: <input checked="" type="checkbox"/> PETITIONER <input type="checkbox"/> PETITIONER'S ATTORNEY <input type="checkbox"/> RESPONDENT <input type="checkbox"/> RESPONDENT'S ATTORNEY <input type="checkbox"/> OTHER | |

ADULT ABUSE/STALKING--JUDGMENT/FULL ORDER OF PROTECTION
Also used for Consent Order and Extensions of Full Order of Protection

(Check Applicable Statement)

☒ The Petitioner has filed a verified petition requesting issuance of an order of protection and a notice was served together with a copy of the petition to the Respondent at least three days prior to the hearing. The matter heard and submitted to Court, and upon due consideration of the matter, the Court finds pursuant to Section 455.040 RSMo that the Petitioner has proved the allegations of abuse or stalking. The court hereby finds that it has jurisdiction over the parties and subject matter and Respondent has been provided with reasonable notice and opportunity to be heard.

☐ The Petitioner and Respondent submit this Consent Judgment and request that the Court order the following:

ORDER (Only Those Provisions Checked Apply)

☒ This order replaces and supersedes the ex parte order of protection entered in this cause on (date) 7/23/07, and serves as notice of termination of that order.

☐ This extends the Full Order of Protection entered herein on _____ (date) and serves as notice of extension of that order.

☒ Respondent shall not use, attempt to use, or threaten to use physical force against Petitioner that would reasonably be expected to cause bodily injury and shall not stalk, abuse, threaten to abuse, molest or disturb the peace of Petitioner wherever the Petitioner may be.

☐ Respondent shall not communicate with Petitioner in any manner or through any medium.

☒ Respondent shall not enter or stay upon premises of the dwelling of Petitioner, located at 1923 Sunny, Kirkwood
OR BUSINESS AT 500 N. BRADWAY AND JUNE RESTAURANT & WITHIN 1000 FEET
OF HOME OR BUSINESS

☐ Respondent may enter Petitioner's dwelling as listed above on _____ between _____ and _____ for the purpose of removing his/her clothing and personal property (as set forth below in other orders.)*

☐ Respondent shall not transfer, encumber or otherwise dispose of the property mutually owned or leased with Petitioner as set forth below in other orders.

☐ Petitioner to be given temporary possession of the personal property set forth below in other orders.

☐ Respondent shall participate in the court approved counseling program for: ☐ batterers ☐ substance abuse treatment at _____ beginning _____

☐ Custody of child(ren) is awarded as follows: [RESPONDENT] [PETITIONER]

Child's Name, Date of Birth and S.S.N.

Person to Receive Custody

Ex. 2

*strike words not applicable

CCFC36 (Pg. 1) Rev. 10/02

White - File

Green - Police

Yellow - Respondent

Pink - Sheriff's/Police

Goldenrod - Petitioner

- ☐ Custody, visitation and parenting time shall be exercised as per the Parenting Plan attached hereto as exhibit _____.
- ☐ Respondent shall pay Petitioner child support of \$_____ per child per (month)(year) beginning _____.
(Child support was determined pursuant to Rule 88.01.)(Child support guidelines are found to be unjust or inappropriate.)
- ☐ Respondent to pay \$_____ per month/week in maintenance to Petitioner with first payment due (date)_____.
- ☐ Respondent shall execute an income assignment in favor of Petitioner for: ☐ child support ☐ maintenance
- ☐ Respondent to pay Petitioner's rent or mortgage in the amount of \$_____ per _____ to _____
with first payment due (date)_____.
- ☐ Respondent shall pay for housing or other services provided to the Petitioner by shelter for victims of domestic violence in the amount of \$_____ per _____ to _____ first payment due (date)_____.
- ☐ Respondent shall pay the cost of medical treatment and services provided to the Petitioner as a result of injuries sustained by an act of domestic violence committed by Respondent, as set forth below in other orders.
- ☐ Respondent shall pay to the Petitioner the amount of \$_____ for the cost of maintaining or defending this action.
- ☐ (Petitioner)(Respondent) shall pay to the (Petitioner)(Respondent) attorney's fees in the amount of \$_____.
- ☐ The court (a) finds you are a credible threat to the physical safety of the Petitioner who is/was an intimate partner. OR
(b) by this order, explicitly prohibits the use, attempted use or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury.
- NOTE: THIS MAY PROHIBIT THE POSSESSION OF A FIREARM UNDER FEDERAL STATUTE (SEE NOTICE ON REVERSE).**
- ☐ The Election Authority where Petitioner is registered to vote shall close Petitioner's address pursuant to Section 115.157 RSMo., if Petitioner provides them a copy of this order.
- ☐ Other Orders: _____

If so ordered by the court, the Respondent is forbidden to enter or stay at Petitioner's residence. Violation of this Order may be punished by confinement in jail for as long as five years and by a fine of as much as five thousand dollars. Violation of this Order is a Class A Misdemeanor, or Class D Felony if Respondent has previously pled or was found guilty of any violation of an Order of Protection within five (5) years of this order.

This order shall be effective until (date) 10/10/07, unless sooner terminated or extended.

SO ORDERED: _____

Judge

Date

CONSENT ORDER ONLY

This consent is not to be taken as an admission by Respondent that the allegations contained in the petition are true, however, Respondent consents to the above orders being issued.

PETITIONER'S SIGNATURE

RESPONDENT'S SIGNATURE

INSTRUCTIONS TO CLERK

1. A copy of the order of protection shall be issued to the Petitioner, the Respondent, and the law enforcement agency (police or sheriff) in the city or county where the Petitioner resides.
2. A copy of the order of protection shall be issued the same day the order is granted to the law enforcement agency responsible for maintaining the Missouri Uniform Law Enforcement System (MULES).
3. A copy of the order of protection shall be served upon or mailed by certified mail to the Respondent(s) at their last known address.

NOTICE OF EXTENSION OF ORDER

This full Order of Protection may be extended for additional periods of time upon application and a court hearing. Any application should be made at least two weeks before the expiration date indicated on the Full Order of Protection.

NOTICE TO THE PERSON OBLIGATED TO PAY SUPPORT OR MAINTENANCE

(Pursuant to Section 452.350)

Effective January 1, 1994, for every order for child support or maintenance entered or modified by the court under the authority of Chapter 452 or otherwise, income withholding under Section 452.350 RSMo shall be initiated on the effective date of the order unless the court finds there is good reason not to require immediate income withholding or a written agreement between the parties provides for an alternative arrangement.

NOTICE REGARDING FIREARMS RESTRICTIONS PER FEDERAL LAW

Pursuant to 18 USC 922

- (g) It shall be unlawful for any person-
- (8) who is subject to a court order that-
- (A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;
- (B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and
- (C) (i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or
- (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury,

to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

SHERIFF'S OR SERVER'S RETURN (Not Required for Consent Order)

I certify that I served a copy of this order by delivering a copy to the Respondent.

Served at (address) _____

on (date) _____ at (time) _____ M.

SHERIFF'S FEES (if applicable)

Service Fee \$ _____ Mileage \$ _____ (_____ miles @ \$ _____ per mile)

Non Est \$ _____ Total \$ _____

SHERIFF

DIRECTIONS TO OFFICER MAKING RETURN OF SERVICE

A copy of the order must be served on each person. If any person refuses to receive the copy of the Order when offered to him, the return shall be prepared to show the offer of the officer to deliver the Order and the person's refusal to receive same.

Service shall be made: (1) On individual. On an individual including an incompetent person not having a legally appointed guardian, by delivering a copy of the Order to the individual personally or by leaving a copy of the Order at the individual's dwelling house or usual place of abode with some person of the family 15 years of age, or by delivering a copy of the Order to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an incompetent person who has a legally appointed guardian, by delivering a copy of the Order to the guardian personally.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory in the United States. If served in a territory, substitute the word "territory" for the word "state".

If served outside the state of Missouri, the officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where such service is made.